

The Corporation of the City of Kawartha Lakes

By-Law 2024-

A By-Law to Amend By-Law 2021-072, being a By-Law to Regulate Animals in the City of Kawartha Lakes

Recitals

1. By-Law 2021-072, being a By-law to Regulate Animals in the City of Kawartha Lakes, was adopted by Council on May 18, 2021.
2. At the Regular Council Meeting of February 20, 2024, Council approved recommendation CW2024-037 through resolution CR2024-065 directing that the necessary by-law amendments identified in Council Report ML2024-001, Backyard Chicken Coops Pilot Project, be brought forward to Council for adoption.
3. This By-Law amends By-Law 2021-072 to reflect this decision.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024-__.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

All defined terms in the amending by-law take their meaning from By-law 2021-072, as amended, of the City of Kawartha Lakes.

1.02 **Interpretation Rules:**

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

Section 2.00: Amendment Details

2.01 **Amendment:** That Section 3.00 be deleted in its entirety and replaced with the following provisions:

Section 3:00 Licensing of Backyard Chicken Coops

3.01 No person shall be permitted to have a Backyard Chicken Coop or chickens on a Residential or non Agricultural property without first having been issued a municipal licence; and must comply with the provisions relating to accessory structures in the respective Zoning By-law.

3.02 No person shall be permitted to have a Backyard Chicken Coop unless:

- a. the setbacks and lot coverage for the location of the Backyard Chicken Coop shall conform with the applicable zoning by-law and zone provisions relating to accessory structures;

- b. The Backyard Chicken Coop shall be set back from every lot line similar to other structures as designated in the applicable zoning by-law;
 - c. notwithstanding the provisions of the zoning by-law, the keeping of a Backyard Chicken Coop is permitted to occur on lots that have 0.25 acres or greater area.
- 3.03 No person shall be permitted to have a backyard chicken coop in the following areas: an environmentally sensitive area, wetland, Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs), natural heritage system area, green belt and/or a flood plan area and areas zoned for commercial or industrial use.
- 3.04 Building Permits and Sewage System: A license issued to permit a Backyard Chicken Coop does not remove any obligation of a person and/or property owner to comply with the Building Code or any requirements for a building permit and/or a sewage system approval.
- 3.05 Registration: Applicants shall submit all required application documents, as outlined in this by-law, to the Licensing Enforcement Officer for review and to determine if a License may be issued for the keeping of Backyard Chicken Coops.
- 3.06 All registration applications for a Backyard Chicken Coop License on a Residential Property or Rural Property shall include:
 - a. The name, contact email, phone number and address of the Licensee where Backyard Chicken Coop will be kept;
 - b. Proof of Ownership for the Premises or letter of authorization from the property owner to permit a Backyard Chicken Coop, if property is leased or rented;
 - c. A site plan of the Property, showing the proposed Backyard Chicken Coop and Hen Run location and structure dimensions, all other buildings and structures, as well as the property dimensions and appropriate setbacks; and,
 - d. Any other documentation, deemed necessary by the Licensing Enforcement Officer.
- 3.07 Upon completion of the application package and review by the Licensing Enforcement Officer or designate the applicant will receive notification of approval or a request for additional information or refusal of the License.
- 3.08 Once the application materials have been reviewed the Licensing Enforcement Officer may complete a site inspection of the Backyard chicken coop prior to approval.

- 3.09 The hens and the coop may be inspected without notice to ensure that there is a safe and secure environment for the hens.
- 3.10 A License, issued pursuant to this by-law shall expire within the calendar year, or as declared by City of Kawartha Lakes Council.
- 3.11 A Licence shall be issued to an person whose application meets all of the requirements set out in this Bylaw, subject to section 3.06 and 3.15.
- 3.12 The Licensing Enforcement Officer or deligate may issue a License with or without conditions, refuse a License, and/or revoke a License if the applicant is not able to meet the requirements as prescribed.
- 3.13 The License to keep Backyard Chicken Coop on a Residential Property or non-agricultural property shall be in a form as prescribed by the City of Kawartha Lakes.
- 3.14 A maximum of 50 Licenses will be issued for Backyard Chicken Coops in each year. The Licensing Enforcement Officer or deligate shall refuse to issue any License once the maximum number of Licenses have been issued.
- 3.15 The Licensing Enforcement Officer or deligate may refuse to issue or revoke a License issued pursuant to this bylaw if:
 - a. The Licensee fails to comply with:
 - i. Any of the conditions upon which the License was issued;
 - ii. Any of the provisions of this by-law;
 - b. The License was issued in error, or as a result of mistaken, false or incorrect information;
 - c. For any other purpose, as deemed fit by the Licensing Enforcement Officer.
- 3.16 No person shall transfer a Backyard Chicken Coop license to another person or property except with the written consent of the Licensing Enforcement Officer or delegate.
- 3.17 No person shall keep roosters on a residential property.
- 3.18 No person shall keep more than ten (10) chickens or chicks on a residential property.
- 3.19 No person shall keep Chickens or a Backyard Chicken Coop on their property unless the following conditions are maintained:

- a. The Backyard Chicken coop must be located in the the rear yard of the property; in the case of irregular-shaped lot or a corner lot the exterior side yard may be used;
- b. No person shall construct a Backyard Chicken Coop unless the coop is located 8 metres from any dwelling, school, store or shop and at least 2 metres from each property boundary on which it is located;
- c. No person shall construct a Backyard Chicken Coop on a residential property that is within 1000m or adjacent to an agricultural property that houses a poultry farming operation.
- d. The Backyard Chicken coop must be large enough (min. 0.92 m²/chicken) for the chickens to move around freely and must contain hen boxes and perch areas sufficient to accommodate all chickens;
- e. The Backyard Chicken coop must contain sufficient feeders and water containers for all chickens;
- f. The Backyard Chicken coop is soundly constructed of hard durable material, which is impervious to water;
- g. The Backyard Chicken coop shall be maintained in a state of good repair free from holes, cracks, rust or other damage;
- h. The Backyard Chicken coop and run is enclosed completely and covered in such a way to prevent the chickens from leaving and free ranging;
- i. The Backyard Chicken coop and chickens run shall be protected from entry of other birds or animals;
- j. Chickens must remain in their coops from 8pm until 8am;
- k. The Backyard Chicken coop must be protected from the weather, adequately ventilated, insulated and heated in the winter;
- l. The Backyard Chicken coop is lined with an appropriate material to absorb fecal matter which is resistant to mold and will facilitate daily cleaning, and is disinfected regularly;
- m. Backyard Chicken coops and hen runs must be kept in a clean condition and shall be kept free of obnoxious odours;
- n. Stored manure shall be kept in an enclosed structure such as a compost bin in accordance with regulations, and no more than 0.1 m³ may be stored at one time;
- o. Manure shall be disposed of in accordance with Municipal bylaws;
- p. All stored feed must be kept in rodent proof containers and secured at all times;
- q. Home slaughter of chickens is prohibited and any deceased chickens must be disposed of at a livestock disposal facility or at a facility approved by the Ministry of Agriculture or at a City of Kawartha Lakes landfill.

- r. No person shall place or dispose of a deceased chicken within their household garbage or by placement at the curbside for collection by waste services.
- s. No person shall offer the sale of eggs, meat or manure or anything associated with chickens.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing or his or her designate is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19th day of March, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk